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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|               |                             |                   |      |
|---------------|-----------------------------|-------------------|------|
| Appl. No.:    | 10/551009                   | Confirmation No.: | 1375 |
| Applicant:    | BEGER, <i>et al.</i>        |                   |      |
| Filed:        | 27/SEP/2005                 |                   |      |
| TC/A.U.:      | 4134                        |                   |      |
| Examiner:     | Loewe, Robert S.            |                   |      |
| Docket No.:   | DC5116 PCT1                 |                   |      |
| Customer No.: | 00137                       |                   |      |
| For:          | Organosiloxane Compositions |                   |      |

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

## AFFIDAVIT UNDER 37 C.F.R. §1.132

Sir:

I, Timothy B. Lueder, being duly sworn, say that:

1. I received a Bachelor of Science degree in Chemistry from Central Michigan University in Mt. Pleasant, MI in 1997.

2. I have been employed by the Dow Corning Corporation at Midland, Michigan since 1997, during which time I have been engaged in research and development activities in the fields of the fields of silicone materials, in particular those materials useful in sealants. I am a co-inventor of seven U.S. patents.

3. I am familiar with the above identified patent application because I am a co-inventor of the subject matter claimed in the above application.

4. Under my supervision, the following experiments were performed in an attempt to demonstrate the surface modification achieved by the above referenced patent application.

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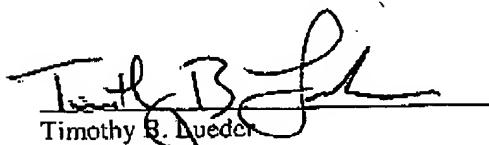
The formulations in Table 1, below, were made on a whip mixer by adding all the components and mixing thoroughly. In the case of Example 1, the vinyl methylmethoxysilane and tetra-tertiarybutoxy titanate were mixed with the trialkoxy-terminated polydimethylsiloxane. The mixture was mixed for 30 seconds and then filler was introduced into the resulting mixture and mixed for 60 seconds. The resulting composition was devolatilised for 30 seconds.

Surface modification was quantified in the examples by measuring gloss values of each sample. The state of cure and formation of the protective layer was reviewed periodically on the basis of touch and sight. Samples were assessed for testing after 28 days from initial curing. The gloss measurements were made, in accordance with ASTM D 523, at an angle of 85° to the horizontal.

Table 1

| Affidavit Example 1, corresponding to Example 1A in the application except catalyst is substituted with TbT                                | Affidavit Example 2 corresponding to Example 4A in the application except catalyst is substituted with TbT                                 |
|--|--|
| 59 g Trialkoxy-terminated PDMS (polydimethylsiloxane) as described in example 1 of the specification for the above-referenced application. | 59 g Trialkoxy-terminated PDMS (polydimethylsiloxane) as described in example 1 of the specification for the above-referenced application. |
| 35 g Filler 1 as described in paragraph [0054] of the specification.   | 35 g Filler 1 as described in paragraph [0054] of the specification.   |
| 5 g vinylmethylmethoxysilane   | 5 g methyltrimethoxysilane   |
| 1 g tetrabutyl titanate  | 2 % tetrabutyl titanate  |
| 85° Gloss = 45   | 85° Gloss = 56   |

I declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true. I also declare that, at the time these statements were made, I knew that willful false statements and the like are punishable by a fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that willful false statements may jeopardize the validity of the application, or any patent issuing from it.



Timothy B. Lueder

Date: 7/21/08